

## REMARKS

In the Office Action mailed September 22, 2005, Claims 1-4, 6-8, 10-15, and 18-22 were rejected under 35 U.S.C. § 102(e) as being anticipated by Christopoulos (US2001/0047517). Further, Claims 5, 9, 16, and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Christopoulos in view of Enari (U.S. 5,847,840) or Ejiri (US2001/0003532). Applicants respectfully traverse the rejection of these claims and submit the following.

Claims 2, 3, 8-10, 12, 13, 18, and 20, as Amended, are Allowable.

With regard to Claims 2 and 3, the Office indicated that Christopoulos discloses that "said control unit calculates said information concerning the transmission rate on the basis of a measured value of the transmission rate, and controls the amount of image data to be transmitted in accordance with the calculation" (paragraph 0039, lines 5-26 of Christopoulos).

Applicants have thoroughly reviewed Christopoulos and respectfully note that the cited section of Christopoulos, in paragraph 39, lines 5-26, does not refer to the control unit that calculates information concerning the transmission rate on the basis of a measured value of the transmission rate.

Rather, Christopoulos describes that the type of transcoder hints for still images can include bit rate, resolution, image cropping, and region of interest transcoder hints (paragraph 0039, lines 7-9). Though Christopoulos refers to "bit rate transcoder hint," the word "bit rate" as used in Christopoulos does not mean "transmission rate of a network," and instead means "bit rate of encoding." (See paragraph 39, lines 15-16, "Encoding an image at a specific bit rate..."). Thus, the technical feature as recited in Claims 2 and 3 of the present application is not disclosed in Christopoulos, and therefore Claims 2 and 3 are allowable. Accordingly, applicants respectfully request that the Office withdraw its previous rejection of Claims 2 and 3 under 35 U.S.C. § 102(e) in view of Christopoulos.

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Claims 8, 9, and 10 have been amended to depend from allowable Claim 2. Therefore, Claims 8, 9, and 10 are also believed to be allowable.

Further, Claims 12, 13, 18, and 20 have been amended to generally recite the subject matter similar to that of amended Claims 2 and 3. Therefore, Claims 12, 13, 18, and 20 are also believed to be allowable.

Claims 4, 6, 7, 17, and 19, as Amended, are Allowable.

Claim 4 has been amended to more specifically recite the subject matter that applicants consider as their invention. Specifically, Claim 4 has been amended to incorporate the subject matter of Claim 5. Accordingly, Claim 5 has been canceled.

The Office indicated that Enari discloses a control unit that "controls the amount of image data to be transmitted in accordance with said information without reducing the number of frames included in said motion picture" (Column 7, line 56-Column 8, line 17), as previously recited in Claim 5.

Applicants have thoroughly reviewed Enari and respectfully note that the cited section of Enari, in Column 7, line 56-Column 8, line 17, merely discloses "a data capacity per picture plane," "a data capacity per second," and "a data capacity per resync block," and as such Enari does not disclose or suggest the feature of amended Claim 4 (previously of Claim 5) directed to "without reducing the number of frames included in said motion picture."

Therefore, the technical feature of amended Claim 4 of the present application is not disclosed or suggested in Enari, and consequently Claim 4 (now incorporating the subject matter of original Claim 5) is allowable under 35 U.S.C. §§ 102(e) and 103(a) in view of Christopoulos and Enari.

Claims 6 and 7 are dependent from allowable Claim 4, and therefore these claims are also believed to be allowable.

Further, Claims 17 and 19 have been amended to generally recite the subject matter similar to that of amended Claim 4. Therefore, Claims 17 and 19 are also believed to be allowable.

Claims 14 and 21, as Amended, are Allowable.

Claims 14 and 21 have been amended to more specifically recite the subject matter that applicants consider as their invention.

Claim 16, as Amended, is allowable.

Claim 16 has been amended to more specifically recite the subject matter that applicants consider as their invention.

Applicants have thoroughly reviewed Ejiri, and note that in paragraph 40, lines 1-7, Ejiri describes that "buffer occupancy information of BOCa, BOCb, and BOCc for the smoothing buffers 104, 105, and 106 are inputted to the quantization controlling block 107, so that each buffer does not overflow."

On the other hand, the feature as recited in amended Claim 16 is that the control unit monitors the amount of received data and instructs a transmission apparatus to terminate transmission of the image data when the receiving apparatus receives a predetermined component of the image data. For example, the predetermined component of the image data is the sub-band LL2 in the third embodiment of the present application. As described in the detailed description of the present application, the receiving apparatus can reconstruct the image data to a certain extent when it receives the LL2 sub-band that includes the lowest frequency components. With the operation of instructing a transmission apparatus to terminate transmission of the image data when the receiving apparatus receives a predetermined component (LL2 sub-band) of the image data, the total amount of data transmitted through the

network can be reduced and the receiving apparatus can display the received image data with relatively high quality.

Thus, the technical feature as recited in amended Claim 16 is not disclosed or suggested in Ejiri, and consequently amended Claim 16 is believed to be allowable in view of Christopoulos over Ejiri. Applicants respectfully request that the Office withdraw the previous rejection of Claim 16 under 35 U.S.C. § 103(a) in view of Christopoulos over Ejiri.

CLOSING

Based on the foregoing, all remaining Claims 2-4, 6-10, 12-14, and 16-21, as amended, are believed to be allowable. An early action allowing the application to issue as a patent is respectfully solicited. Should the Examiner have any further issues to resolve, he is invited to telephone applicants' undersigned attorney at the number set forth below.

Respectfully submitted,

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